

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: To be assigned

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Docket No.: P02186US0

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Filed: May 10, 2001

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Applicant: Errington, J.

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Group Unit: Not yet assigned

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Title: *Bacillus* Strain and
Assay Method

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Examiner: Not yet assigned



Box Patent Application
 Assistant Commissioner for Patents
 Washington D. C. 20231

PRELIMINARY AMENDMENT

Dear Sir:

Applicants respectfully request that a Preliminary Amendment for the above-identified Application be entered as contained herein.

In the claims:

In this patent application, please consider under prosecution claims 1-19 wherein amended claims 10-12 and 15-19 are entered as follows:

10. (Amended) A method of assessing an agent for antibiotic activity comprising the steps of:

- a) incubating the micro-organism of claim 1 in the presence of the agent; and
- b) observing expression of the reporter gene or genes.

11. (Amended) The method of claim 10, wherein the micro-organism is a *Bacillus* strain as defined in claim 4 and is induced to sporulate in the presence of the agent.